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FEDERAL COMMUNICATIONS COMMISSION
BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of)

Implementation of Sections of)
the Cable Television Consumer)
Protection and Competition Act)
of 1992)

Uniform Rate-Setting Methodology)

CS Docket No. 95-174

MOTION FOR EXTENSION OF TIME

**CONTINENTAL CABLEVISION, INC.
TELE-COMMUNICATIONS, INC.**

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Their Attorneys

January 11, 1996

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MOTION FOR EXTENSION OF TIME

Continental Cablevision Inc. and Tele-Communications, Inc. (herein collectively referred to as "Cable Companies"), by their attorneys and pursuant to Section 1.46 of the Commission's Rules,¹ hereby file this Motion for Extension of Time to file comments in the above-referenced proceeding. For good cause shown, Cable Companies respectfully request that the Commission extend the time for filing comments in this proceeding until February 12, 1996, and correspondingly change the date for filing replies to March 12, 1996.

The Commission released its Notice of Proposed Rulemaking ("NPRM") in the above-referenced proceeding on November 29, 1995.

¹ 47 C.F.R. § 1.46. Due to the extended federal government shutdown, this motion is being filed fewer than 7 days prior to the present January 12, 1996, due date for comments in this proceeding. Consistent with Section 1.46(c), the undersigned attorneys for Cable Companies will notify the appropriate Commission staff members that the motion is being filed.

In the NPRM, the Commission proposes to adopt rules establishing an optional methodology whereby cable systems may implement uniform rates for both the basic service tier ("BST") and the cable programming service tier ("CPST") in multiple franchise areas.² The Commission asks for comment on two proposed alternative methodologies for achieving uniform rates. In addition, the Commission requests comment on a broad range of issues related to its proposed methodologies, including the appropriate region within which the methodology may be applied, the extent to which the equipment rate rules are implicated by its proposals, the applicability of the rate-setting methodology to unregulated systems, and the appropriate role for local franchising authorities under either proposal.

Analyzing the two proposed uniform rate methodologies requires applying the proposals to numerous specific factual situations, with numerous variables to adjust in each situation. For example, a central issue to resolve is how to define the region within which uniform rates will apply. Defining the applicable region is a complex undertaking, requiring the Cable Companies to consider a wide variety of factual situations, including how cost structures vary among systems in different geographic regions, subscriber density, and differences in existing price and tier structures. The Cable Companies and other MSOs need to consider these factual circumstances in the

² NPRM at ¶ 1.

context of both BSTs and CPSTs in literally thousands of cable systems across the nation.

Moreover, defining the appropriate geographic region is not the only issue raised in the NPRM. There are many other complex factual and legal analyses that must be undertaken before the Cable Companies can adequately respond to the NPRM and the Commission can promulgate appropriate rules.

Cable Companies believe there is insufficient time to complete this analysis prior to the current comment deadline. Therefore Cable Companies respectfully submit that, in the interest of developing a complete factual record upon which to base the Commission's decision in this proceeding, the public interest would best be served by extending the comment and reply period to February 12, 1996, and March 12, 1996, respectively.

No parties will be prejudiced by such an extension. Cable Companies believe that the cable industry, as well as the Commission and the public generally, will be better served by allowing sufficient time to develop a complete record, rather than premising such a potentially far-reaching decision on an incomplete analysis.

For the reasons described above, Cable Companies request that the Commission extend the time for filing comments in this proceeding to February 12, 1996, and replies to March 12, 1996.

Respectfully submitted,

**CONTINENTAL CABLEVISION, INC.
TELE-COMMUNICATIONS, INC.**

A handwritten signature in dark ink, appearing to read "Michael H. Hammer", is written over a horizontal line.

Michael H. Hammer
Michael G. Jones

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Their Attorneys

January 11, 1996

CERTIFICATE OF SERVICE

I, Dennette Manson, do hereby certify that on this 11th day of January, 1996, copies of the foregoing Motion for Extension of Time for Continental Cablevision, Inc. and Tele-Communications, Inc. were delivered by hand to the following parties:

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